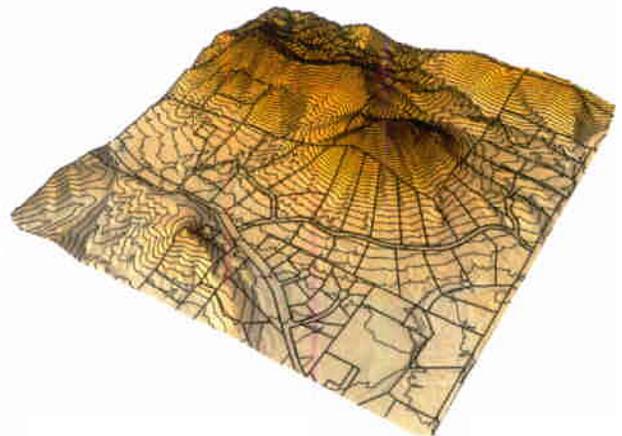


Conservation Subdivision Guidebook

Revised June, 2007



CONSERVATION SUBDIVISION GUIDEBOOK

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Ordinance Text

Conservation Subdivision Street Standards *(See Chapter 6 of the Subdivision and Development Street Standards Manual adopted April 2005)*

CONSERVATION SUBDIVISION GUIDEBOOK April 22, 2001

EXCERPTS FROM CONSERVATION SUBDIVISION ORDINANCE SECTION 18.09.100

WHAT IS A CONSERVATION SUBDIVISION?

By definition, a Conservation Subdivision is "... a residential subdivision that is designed according to the procedures set forth in this section. A conservation subdivision allows a property to be developed to the full residential density permitted under the existing zoning classification, while also providing for the permanent conservation of substantial amounts of environmentally and culturally valuable open space areas, such as designated peaks and ridges, riparian areas, native plants and plant communities, areas near public preserves, wildlife habitat areas, biological corridors, and sites of archaeological and cultural value...."

GOAL: Conservation Subdivision Ordinance Section 18.09.100.A. states:

"...The goal of conservation site planning is to protect conservation features such as designated peaks and ridges, riparian areas, native plants and plant communities, areas near public preserves, wildlife habitat areas, biological corridors, and sites of archaeological and cultural value. Conservation subdivisions promote the establishment of conservation natural areas and, where possible and practicable, support interconnected, continuous, and integrated open space systems within an area, particularly when located contiguous to public preserves...."

APPLICABILITY: Conservation Subdivision Ordinance Section 18.09.100.B. states:

"...These standards may be used to develop subdivisions on land containing undeveloped indigenous habitat and conservation features identified by the property owner in a conservation subdivision plat through aerials and supporting documentation, and certified as containing undeveloped indigenous habitat by the planning official. Any dispute about applicability of these standards to a particular parcel of land shall be reviewed at a public hearing before the planning and zoning commission. Except as noted in this section all other requirements of the Pima County Zoning Code shall apply...."

Conservation Development Subdivision

TENTATIVE PLAT SKETCH

(revised January 4, 2006)

SUBMITTAL REQUIREMENTS

Conservation Subdivision Ordinance Section 18.09.100.H.1. states:

1. *Pre-application meeting: Prior to the submittal of a tentative subdivision plat, the applicant shall prepare a tentative plat sketch proposal which shows the proposed conservation natural areas, the lot pattern, streets, and trail linkages of development areas and to meet with the planning official, or the planning official's designated representative, to discuss how the conservation subdivision standards can be applied to the subject property.*

PREAPPLICATION: The applicant will bring the following documents to the preapplication meeting which shall remain with the planning official:

1. This submittal requirements form with all blanks filled in
2. An aerial photo of the proposed project showing the project site, site boundaries, and a minimum 100' width off-site perimeter, north arrow, and graphic scale which shall be no smaller than 1" = 100' for projects where the maximum boundary to boundary dimension is 2000 feet. The graphic scale for projects with a longer boundary to boundary dimension shall be no less than 1" = 200', except that the graphic scale may be further reduced as required to fit the project on a 24" X 36" sheet.
3. Plan data summary: Complete the following preliminary calculations here and on the tentative plat sketch:
 - total site area within the boundaries of the proposed project _____ acres
 - net site area after deducting major thru streets and scenic routes rights of way _____ acres
 - preliminary Conservation Natural Area (CNA) calculation
 - gross area of proposed CNA _____ acres
 - existing area of grading and disturbance within CNA - _____ acres
 - net area of CNA (total gross area - existing grading/disturbance) = _____ acres
 - net area of CNA is _____ % of the total site area (net CNA area ÷ Net site area)
 - existing zoning _____, number of dwelling units allowed _____, number of dwelling units proposed _____
 - lot sizes proposed _____
4. A tentative plat sketch at the same scale as the aerial photo which includes a plan data summary and the following:
 - project information to include project name; names of property owner, applicant, firm or individual who prepared the sketch; contact name, address, phone number, fax, & email address
 - dimensioned boundaries of the project
 - locate and label the following on the project and on adjacent properties within a minimum 100 feet of the project:
 - parcel property lines and jurisdictional boundaries
 - existing zoning, uses, development, and dimensioned streets, easements, and rights-of-way
 - preserves
 - locate and label the following:
 - dimensioned perimeter boundaries of the site
 - on site and within a minimum 100 feet of-site
 - contours at a maximum 10' interval
 - the general location of primary (P) and secondary (S) conservation features (*see attached list of primary and secondary conservation features*). At a minimum, identify and label the general boundaries of the following conservation feature categories: regulated riparian habitat, hillside areas (15%+ slopes AND 25% and greater slopes), regulated peaks and ridges, flood plains and the centerline of major washes, and archaeological features
 - existing uses, development, grading/disturbance, areas that have been disturbed and revegetated naturally
 - On site: preliminary street and lotting pattern and the perimeter boundary of the proposed conservation natural areas that equal a minimum 50% of the net site area. Identify and label primary (P) and secondary (S) conservation feature areas, and property owner preference (POP) conservation natural areas located within the proposed conservation natural areas.

PROJECT REFERENCE INFORMATION:

Applicant Contact Name & Affiliation: _____

Phone/Fax/Email: _____

Others @ Preap Meeting: _____

Parcel Identifier (address, tax code #(s)): _____

_____, Subdivision/Project Name: _____

**Conservation Subdivision
Tentative Plat**

SUPPLEMENTAL REQUIREMENTS

revised July 08, 2004

Conservation Subdivision Ordinance Section 18.09.100.H.2. states: “.....2. *Tentative plat. The tentative plat shall be prepared in compliance with the following design process:.....*”

This document includes uniform document preparation standards and submittal requirements consistent with the requirements in the Conservation Subdivision Ordinance, including design process requirements in Section 18.09.100.H.2.a. thru f.

Note: The submittal of this document to the SDRC coordinator, with information on page 2 included, is required before the Planning Division will commence review of a Conservation Subdivision Tentative Plat, Native Plant Preservation Plan, and Landscape Plan.

TENTATIVE PLAT - SUBMITTAL REQUIREMENTS: A tentative plat first submittal for a conservation subdivision shall include the following requirements and standards which may be supplemental to Pima County’s SDRC check list requirements:

1. **Confirmation of Substantial Conformance:** A copy of a memorandum or letter from the Planning Division that confirms that the tentative plat sketch for the proposed conservation subdivision is (a) in substantial conformance with the purpose provisions for Section 18.09.100, and (b) shows the appropriate application of Section 18.09.100 to the unique characteristics of the site.
2. **Resource Value Report and Inventory:** Similar to the resource value report and inventory required by the Native Plant Preservation Ordinance, Chapter 18.72, which shall include (1) a composite map(s) which combine a natural features survey map and aerial map at the same scale, sheet size, and sheet coverage as the corresponding tentative plat lot layout sheets, (2) an inventory report for on and off site primary and secondary conservation features. Composite map and inventory report requirements are further described as follows:
 - **on site:**
 - The boundary of each natural feature area shall be graphically described on the map and labeled with (1) a “P” for primary conservation feature area and an “S” for secondary conservation feature area along with the boundary(s) and symbol or name for the corresponding conservation feature category(s) in the CSO Ordinance, (2) a separate numerical or letter identification number for each conservation feature area. Two or more overlapping conservation feature areas shall be defined as an overlap area and have an identification number for the area of overlap, (3) area (square footage and acreage) of each conservation feature area and overlap area.
 - A data summary and calculation for conservation feature areas on the composite survey/aerial map that includes (1) a line item for each conservation feature area and overlap area with a label corresponding to the labeling on the survey map, (2) the area in square footage and acreage for each mapped conservation feature area, (3) Area subtotal (square footage and acreage) for all primary conservation feature areas and an area subtotal for all secondary conservation feature areas, (4) a total for all conservation feature areas.
 - **within 100' of the site:** The same requirements as for **on site**, except that area calculations (square footage and acreage) and a data summary is not required.
 - **eye level or oblique site photos** of each conservation feature area with each photo numbered according to the conservation feature area label on the survey map. The location, number, and direction of each photo shall be shown on the survey map. Submit 2 sets of electronically scanned photos, maximum 4 photos per letter sized sheet. Photos shall be high resolution, true color and representative of conservation feature areas. The purpose of the site photos is to further validate the condition and relative priority assigned to each conservation feature area.
3. **Tentative Plat - locate and label the following:**
 - on the cover sheet:
 - A plan data summary that includes: (1) a line item for each proposed conservation natural area (CNA) with a label corresponding to the labeling on the tentative plat lot layout sheets, (2) the area in square feet and acreage for each CNA, (3) Subtotal areas (square footage and acreage) for all primary CNA, all secondary CNA, and (4) a total

for all CNA (5) when required CNA is included on residential lots, a tabulation of the acreage and square footage of CNA on each lot and the percentage of each lot in CNA.

- a data summary that confirms compliance with the requirements of the CSO Ordinance: CNA, lot size, etc.
 - on tentative plat lot layout sheets:
 - The perimeter boundary of the proposed conservation natural areas that equal a minimum 50% of the net site area.
 - primary (P) and secondary (S) conservation natural areas including any (P) and (S) areas on residential lots.
 - CSO site setbacks.
- 4. Preliminary Grading Plan** - Unless otherwise waived during the tentative plat sketch review process, a preliminary grading plan(s) is required at the same scale, sheet size, and sheet coverage as the corresponding tentative plat lot layout sheets and showing (a) topo and floodplain information - see SDRC tentative plan submittal requirement "B" and "C", (b) erosion hazard set-back lines, (c) all areas with existing natural slopes that are 15% to <25% slopes and all areas with existing slopes of 25% or greater slopes clearly delineated by shading or other acceptable means, (d) for projects with natural slopes of 15% or greater, provide average cross slope calculations and any calculations required to show that the project is in conformance with the grading requirements of Section 18.61.050 of the Pima County Zoning Code, (e) show and label HDZ natural areas, and restricted peaks and ridges where applicable, (f) CNA boundaries, (g) layout of streets including rights of way (or private street easements/common areas) and lot line boundaries, (h) limits of existing grading and limits of new grading (i) development envelopes on individually graded lots, (j) cut and fill slope areas clearly delineated, (k) typical cross sections demonstrating maximum exposed cut and fill slopes created by proposed site grading (include cross sections showing maximum perimeter exposed fill slopes for HDZ mass graded subdivisions). The preliminary grading plan requirement is consistent with SDRC tentative plan submittal requirement H.1.e.
- 5. Plan Data Summary:** Complete the following preliminary calculations here and on the tentative plat:
- total site area within the boundaries of the proposed project _____ acres
 - net site area after deducting major thru streets and scenic routes rights of way _____ acres
 - Conservation Natural Area (CNA) calculation
 - gross area of CNA _____ acres
 - existing area of grading and disturbance within CNA - _____ acres
 - net area of CNA (total gross area - existing grading/disturbance) = _____ acres
 - net area of CNA is _____ % of the total site area (net CNA area ÷ Net site area)
 - existing zoning _____, number of dwelling units allowed _____, number of dwelling units proposed _____
 - range of lot sizes proposed _____
- 6. Composite Map:** combine the natural feature survey and aerial map with the tentative plat. The purpose of the composite map is to clarify the relationship between the development layout (streets, lotting pattern, and CNA), the underlying primary and secondary conservation feature areas, and the confirming information on the aerial.
- 7. A Site Analysis Report:** A narrative and accompanying documents which demonstrate project compliance with the development standards and purpose provisions of the Conservation Subdivision Ordinance.
- 8. Other Requirements:** Based on the unique characteristics of each site and project: to be clarified at the preapplication meeting and after the tentative plat submittal.

Map Scale Option: At the discretion of the applicant, the map scales for Item 2 Compositd Natural Features Survey Map and Aerial Map, Item 4 Preliminary Grading Plan, and Item 6 Composite Map may be at same scale as the tentative plat sketch, except that the map scales may not be smaller than 1" = 100'. These optional map scales may benefit both the applicant and the county.

Conservation Development Subdivision
FINAL PLAT
(Revised June, 2007)

SUBMITTAL REQUIREMENTS

FINAL PLAT & DOCUMENTATION shall include the following:

- CC & R provisions: see CSO Ordinance
- names of proposed “holder(s)” of conservation easements
- the legal description of all conservation natural areas
- general and permitting notes: see CSO Ordinance;
- a data summary (1) demonstrate compliance with the natural area requirements of the CSO
(2) a tabulation of all natural features areas on site and on each lot.
- the square foot and acreage of conservation natural areas on each lot.
- additional requirements will be defined in a subsequent draft

Conservation Subdivision Ordinance

PRIMARY AND SECONDARY CONSERVATION FEATURES

Section 18.09.100.C.

9. "Primary conservation features": those parts of the site which contain primary resource value natural features such as:

- a. lakes, ponds, wetlands, floodway and erosion hazard setback areas;
- b. riparian areas, prominent hilltops, peaks or ridges, and prominent rock outcroppings extending from public preserves;
- c. Riparian habitat corridors and riparian areas of hydroriparian, mesoriparian, and xeroriparian A, B, and C, and any segments of riparian areas that are hydroriparian and mesoriparian according to Riparian Habitat Regulations in Article X of the Pima County Floodplain and Erosion Hazard Management Ordinance;
- d. prominent vegetative and geologic features of a site, including saguaros and ironwoods, mesquite bosques, prominent hilltops and prominent rock outcrops, and peaks or ridges;
- e. habitat with plant species listed as Highly Safeguarded by the Arizona Native Plant Law;
- f. areas of undisturbed native upland vegetative communities adjacent to primary riparian area; and
- g. slopes of twenty-five per cent (25%) or greater.

18.09.100.C.

13. "Secondary conservation features": those parts of a site which contain the secondary resource value natural features such as:

- a. segments of riparian area not connected to or extending from a public preserve;
- b. riparian areas not designated as primary conservation features;
- c. areas of undisturbed native upland vegetation communities;
- d. habitat with plant species listed as Salvage Restricted per the Arizona Native Plant Law;
- e. areas between fifteen per cent (15%) and up to but not including twenty-five per cent (25%) slopes;
- f. one hundred year floodplain areas; and
- g. sites and features of archaeological and/or cultural value.

FUTURE CONSIDERATIONS: The definition of Primary and secondary conservation features may be modified in the future to include Environmentally sensitive areas and priority vulnerable species according to the Sonoran Desert Conservation Plan (SDCP) and the Environmentally Sensitive Lands Ordinance (ESLO). Both documents are being prepared and expected to go to public hearing and possible adoption by the Board of Supervisors within the year.

Conservation Subdivision Ordinance

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18.09.100.A. Purpose

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ORDINANCE NO. 2001-22

AN ORDINANCE OF THE PIMA COUNTY BOARD OF SUPERVISORS,
RELATING TO ZONING; AMENDING THE PIMA COUNTY ZONING
CODE BY AMENDING SECTION 18.09.100 (CONSERVATION
SUBDIVISION) TO ADD PROVISIONS AND REVISIONS THAT RESPOND
TO THE BOARD OF SUPERVISOR'S DIRECTION AND REFERRAL ON
AUGUST 1, 2000.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY;

SECTION 1. That Chapter 18.09 of the Pima County Code is hereby amended by revising
Section 18.09.100 Conservation Subdivision:

Chapter 18.09
GENERAL RESIDENTIAL AND RURAL ZONING PROVISIONS

* * * *

18.09.100 Conservation subdivision

1
2
3 **A. Purpose:** The purpose of this section is to encourage, and provide incentives for
4 innovative site planning of residential subdivision lots that are designed in harmony with
5 the natural features and constraints of a property. This section establishes subdivision
6 development standards which allow a landowner to achieve full density under the existing
7 zoning of the land, and which also provide substantial preservation of natural open space
8 and natural and cultural resources.

9
10 The goal of conservation site planning is to protect conservation features such as
11 designated peaks and ridges, riparian areas, native plants and plant communities, areas near
12 public preserves, wildlife habitat areas, biological corridors, and sites of archaeological and
13 cultural value. Conservation subdivisions promote the establishment of conservation
14 natural areas and, where possible and practicable, support interconnected, continuous, and
15 integrated open space systems within an area, particularly when located contiguous to
16 public preserves.
17

18 **B. Applicability:** These standards may be used to develop subdivisions on land containing
19 undeveloped indigenous habitat and conservation features identified by the property owner
20 in a conservation subdivision plat through aerials and supporting documentation, and
21 certified as containing undeveloped indigenous habitat by the planning official. Any
22 dispute about applicability of these standards to a particular parcel of land shall be reviewed
23 at a public hearing before the planning and zoning commission. Except as noted in this
24 section all other requirements of the Pima County Zoning Code shall apply.

25
26 **C. Definitions:** The following definitions apply to this section:

- 27
28 1. "Conservation subdivision": a residential subdivision that is designed according to
29 the procedures set forth in this section. A conservation subdivision allows a property to
30 be developed to the full residential density permitted under the existing zoning
31 classification, while also providing for the permanent conservation of substantial
32 amounts of environmentally and culturally valuable open space areas, such as
33 designated peaks and ridges, riparian areas, native plants and plant communities, areas
34 near public preserves, wildlife habitat areas, biological corridors, and sites of
35 archaeological and cultural value.
- 36
37 2. "Conservation natural areas": those areas within a conservation subdivision that are
38 permanently designated and deed restricted to natural open space use by a conservation
39 easement or owned in fee.
- 40
41 3. "Conservation easement": a nonpossessory interest of a holder in real property
42 imposing limitations or affirmative obligations for conservation purposes.
- 43
44 4. "Conservation purposes": any of the following activities which yield a significant
45 public benefit:
- 46
47 a. Protecting a relatively natural habitat of wildlife, plants, similar ecosystem, or
48 conservation natural area.
- 49
50 b. Preserving open space, including natural open space and conservation natural
51 area, if the preservation is either:
- 52
53 1) For the scenic preservation of the natural area.
- 54
55 2) Pursuant to a clearly delineated federal, state or county governmental
56 conservation policy.
- 57
58 c. Protection of archaeological and cultural resources.
- 59
60 5. "Designated homesite area": that portion of a lot not restricted by a conservation

61 easement.

62

63 6. “disturbed, disturbance”: refers to a significant visible man-caused change to an
64 undisturbed natural area, site or conservation feature such as the ground surface,
65 geology, vegetation, riparian area, or nesting habitat; and wherein such change results in
66 (a) the degradation of the undisturbed natural area, site or conservation feature and (b) a
67 corresponding reduction in the resource value of the natural area, site or conservation
68 feature. Intrusive activities which degrade undisturbed natural area, site or conservation
69 features, and reduce resource value include dumping, burning, toxic spills, plant pruning
70 and removal, planting invasive and/or high water usage plant material that endangers or
71 threatens the survivability of existing or introduced native plants and low water use,
72 drought tolerant plant material, man caused erosion, grading, grubbing, scarifying,
73 storage, vehicular, motorized and wheeled activity, grazing, pasturing, farming, and
74 other similar intrusive activities.

75

76 7. "Holder": either:

77

78 a. A governmental body empowered to hold an interest in real property under the
79 laws of this state or the United States.

80

81 b. A homeowner association, nonprofit charitable corporation or trustee of a
82 charitable trust, the purposes or powers of which include retaining or protecting the
83 natural, scenic or open space values of real property, and assuring the preservation,
84 maintenance, and management of real property, and protecting and enhancing the
85 undisturbed character and quality of conservation natural areas.

86

87 8. “Indigenous habitat”: undeveloped areas consisting of plant communities that grow
88 naturally in and are native to Pima County.

89

90 9. “Primary conservation features”: those parts of the site which contain primary
91 resource value natural features such as:

92

93 a. lakes, ponds, wetlands, floodway and erosion hazard setback areas;

94

95 b. riparian areas, prominent hilltops, peaks or ridges, and prominent rock
96 outcroppings extending from public preserves;

97

98 c. Riparian habitat corridors and riparian areas of hydroriparian, mesoriparian, and
99 xeroriparian A, B, and C, and any segments of riparian areas that are hydroriparian
100 and mesoriparian according to Riparian Habitat Regulations in Article X of the
101 Pima County Floodplain and Erosion Hazard Management Ordinance;

102

103 d. prominent vegetative and geologic features of a site, including saguaros and

104 ironwoods, mesquite bosques, prominent hilltops and prominent rock outcrops, and
105 peaks or ridges;

106
107 e. habitat with plant species listed as Highly Safeguarded by the Arizona Native
108 Plant Law;

109
110 f. areas of undisturbed native upland vegetative communities adjacent to primary
111 riparian area; and

112
113 g. slopes of twenty-five per cent (25%) or greater.

114
115 10. "Private living area": that portion of a designated homesite occupied by
116 buildings, walls, patios, vehicular parking and circulation areas, and connecting
117 pedestrian walks.

118
119 11. "Riparian area": A geographically delineated area with distinct resource values
120 that is characterized by deep-rooted plant species that depend on having roots in the
121 water table or its capillary zone and that occurs within or adjacent to a natural perennial
122 or intermittent stream channel, or within or adjacent to a lake, pond or marsh bed
123 maintained primarily by natural water sources, or in or adjacent to ephemeral stream
124 channels. Riparian areas routinely include hydroriparian, mesoriparian, and
125 xeroriparian A, B, and C, any segments of riparian areas that are hydroriparian and
126 mesoriparian. Riparian habit area does not include artificially created stockpounds,
127 man-made storage reservoirs constructed primarily for conservation or regulatory
128 storage, municipal and industrial ponds or man-made water transportation, distribution,
129 off-stream storage and collection systems.

130
131 12. "Restored, Restoration, Mitigation": The process of repairing a previously
132 disturbed, damaged, or graded site area or site feature and replicating its previously
133 undisturbed, undamaged, or ungraded condition of vegetation, plant communities,
134 geologic structures, grade, drainages, and riparian area that historically existed on site or
135 in the neighborhood. Restoration of previously disturbed or graded areas will include
136 revegetation, and may include corrective grading, natural and artificial rock, and top
137 dressing.

138
139 13. "Secondary conservation features": those parts of a site which contain the
140 secondary resource value natural features such as:

141
142 a. segments of riparian area not connected to or extending from a public preserve;

143
144 b. riparian areas not designated as primary conservation features;

145
146 c. areas of undisturbed native upland vegetation communities;

- 147 d. habitat with plant species listed as Salvage Restricted per the Arizona Native
148 Plant Law;
- 149
- 150 e. areas between fifteen per cent (15%) and up to but not including twenty-five per
151 cent (25%) slopes;
- 152
- 153 f. one hundred year floodplain areas; and
- 154
- 155 g. sites and features of archaeological and/or cultural value.
- 156
- 157 14. "Third party right of enforcement" means a right granted in a conservation easement
158 to enforce any of its terms granted to a governmental body, nonprofit charitable
159 corporation, charitable trust, or foundation, which, although eligible to be a holder, is
160 not a holder.
- 161
- 162 15. "Wildlife Friendly Fencing": Shall be a maximum 42" high fence using T-posts and
163 12 ½ gauge wire as installed, maintained and further provided, and revised in
164 conformance with the requirements and specifications of the Arizona Game and Fish
165 Department for Standard Game Fence, or any subsequent revisions.
- 166
- 167 **D. Permitted Zones:** This applies to subdivision development in the following zones: IR,
168 RH, GR-1, SR, SR-2, SH, CR-1, and specific plan development areas with land use
169 designations that are comparable to IR, RH, GR-1, SR, SR-2, SH, or CR-1 zones.
- 170
- 171 **E. Development standards:**
- 172
- 173 1. Maximum density yield: Maximum density yield is obtained by dividing the
174 minimum area per dwelling unit standard allowed under the zone of the property into
175 the gross area of the subdivision site. SH shall use the same minimum area per
176 dwelling unit as GR-1.
- 177
- 178 2. Minimum lot size:
- 179
- 180 a. GR-1, SH, and, CR-1: eighteen thousand (18,000) square feet, however, twenty
181 percent (20%) of the lots may be smaller than eighteen thousand (18,000) square feet
182 provided that the smaller lots are located on the interior of the project and provided
183 that no lot is smaller than twelve thousand (12,000) square feet;
- 184
- 185 b. SR-2: thirty thousand (30,000) square feet;
- 186
- 187 c. IR, RH, SR: forty-three thousand five hundred and sixty (43,560) square feet;
- 188
- 189 d. All lots using a septic system shall meet all county requirements pertaining to lot

190 size and septic use.

191

192 3. Minimum building setback:

193

194 a. Subdivision site setbacks for the entire subdivision are the same as the setbacks
195 permitted in the zone for a single lot, but in no case shall a subdivision site setback
196 be less than thirty feet (30');

197

198 b. Front yard setbacks of individual lots shall be a minimum of twenty feet (20');

199

200 c. Rear yard setbacks of individual lots shall be a minimum of ten feet (10');

201

202 d. Side yard setbacks along an internal subdivision street frontage and between
203 adjoining subdivision lots shall be a minimum of ten feet (10');

204

205 e. The provisions of Section 18.07.070 (modification of setback requirements)
206 apply to a conservation subdivision. For the purposes of this section, site setbacks
207 and front yard setbacks in a conservation subdivision may also be reviewed for
208 modification.

209

210 4. Domestic animals: the subdivision plat shall have covenants regulating the keeping
211 of domestic animals as follows:

212

213 a. Domestic pets shall be confined to private living areas or accompanied on a leash
214 outside private living areas by a resident or trainer, except as provided in the
215 following subsection b; Domestic pets are domestic animals whose nature is
216 consistent with the residential character of the neighborhood or the adjoining
217 conservation natural area.

218

219 b. Fenced dog runs may be located outside private living areas within the
220 designated homesite area;

221

222 c. Livestock may be kept in SR, RH, & IR Conservation Subdivisions and such
223 livestock shall be confined in barns, sheds or fenced enclosures all within the
224 designated home site areas.

225

226 d. No wild animal, as defined in Chapter 6.04 Pima County Code shall be kept.

227

228 e. The number of domestic animals on a lot shall be consistent with the residential
229 character of the neighborhood.

230

231 5. Fencing and walls are permitted as follows:

232

- 233 a. Fencing and walls in private living areas on individual lots;
234
235 b. Wildlife friendly fencing that is required to protect cultural and natural resources
236 from negative impacts such as human trespass and adjacent grazing areas;
237
238 c. Fencing and walls for livestock enclosures in the designated homesite area.
239
240 6. Driveway widths shall be limited to twelve feet (12') with a maximum six foot (6')
241 graded area on each side of the driveway where required to accommodate sloping site
242 conditions.
243

244 **F. Conservation natural areas standards.** The planning official, or the planning
245 official's designated representative qualified in such matters, shall review the subdivision's
246 conservation natural area to ensure that it protects natural area connections and important
247 habitat features. A conservation subdivision shall comply with the following standards:
248

- 249 1. Minimum conservation natural area designation:
250
251 a. A minimum of fifty percent (50%) of the area of the subdivision site after
252 deducting major streets and scenic routes rights-of-way dedications shall be set aside
253 and restricted to conservation natural areas. When the best available scientific
254 information confirmed by the planning official, or his designated representative
255 qualified in such matters, indicates that a higher percentage of conservation natural
256 area or conservation easement is required, such additional area shall be provided to
257 the maximum extent practicable. Primary conservation features shall be the highest
258 priority feature to be included in conservation natural areas within the subdivision.
259 After all primary conservation features are designated as conservation natural area,
260 any remaining required percentage of natural area shall include secondary
261 conservation features.
262
263 b. On lots containing two (2) or more acres, or in low density subdivisions with a
264 density less than one (1) dwelling unit per two (2) acres, up to thirty per cent of the
265 conservation natural areas required in the preceding subsection 1.a. may be located
266 within individual subdivision lots, provided they are restricted to natural area use
267 through recorded conservation easements.
268
269 c. No graded or disturbed area shall be part of the conservation natural area
270 calculation.
271
272 2. Grading and conservation natural areas.
273
274 a. Grading of a subdivision site is permitted only for roadways, utilities and within
275 the approved development areas.

- 276 b. The maximum grading area on lots smaller than one (1) acre shall be twenty
277 thousand (20,000) square feet plus the area of a single lane twelve foot (12') wide
278 driveway that extends from the lot property line to the garage or carport.
279
- 280 c. The maximum grading area on lots one (1) acre or larger shall be thirty thousand
281 (30,000) square feet plus the area of a single lane twelve foot (12') wide driveway
282 that extends from the lot property line to the garage or carport.
283
- 284 d. To the fullest extent possible, improvements shall be sited to minimize
285 disturbance in conservation natural areas and of the primary and secondary
286 conservation features within them.
287
- 288 e. The design of the development area shall be done so the grading has the least
289 impact on the primary conservation features.
290
- 291 f. Mitigation of disturbed conservation features shall be done in accordance with the
292 purpose of this section, as approved by the planning official, or his designated
293 representative qualified in such matters.
294
- 295 g. Mitigated areas are not counted or included in the calculation of the per cent of
296 conservation natural area required for a subdivision site.
297
- 298 h. Washes. Within washes that are primary or secondary conservation features,
299 only that grading for roadways and utilities that is necessary to provide access to
300 approved development areas is permitted in accordance with Chapter 16.54
301 (Riparian Habitat Ordinance) of this code. Wash disturbance shall be minimized
302 and all utilities shall be installed within roadway easements, except that where a
303 roadway easement is not a practicable location for the utility as confirmed by the
304 planning official, or his designated representative qualified in such matters, then the
305 utility may cross a wash using the least intrusive construction methodology and
306 subject to mitigation and revegetation of the wash disturbance. Wash areas so
307 disturbed and subsequently mitigated shall not be included as part of any open space
308 or natural area requirement.
309
- 310 i. Native plants. To the fullest extent possible, buildings and other improvements
311 shall be sited so as not to disturb primary and secondary conservation features such
312 as saguaros and ironwood trees. Transplantation of existing indigenous plant
313 material shall be within the subdivision. Transplanting or mitigation shall be
314 conducted as follows:
315
- 316 (1) Mitigation including transplanting and revegetation for roadways, utilities,
317 and siting of dwellings and private living areas must be done in accordance with
318 Chapter -18.72 (Native Plant Preservation Standards).

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(2) Grading and disturbed areas in designated homesite areas located outside private living areas, fenced dog runs, and livestock enclosures shall be revegetated with plant material indigenous to the site or subdivision that replicates the understory, midstory, and canopy of adjoining conservation natural areas; except that native, drought-tolerant, low-water use plants (including trees shrubs, cacti, ground cover, grasses and seed mixes) approved by the planning official, or his designated representative qualified in such matters, may also be used.

j. Except as otherwise provided in subparagraph i. above, revegetation of graded or disturbed areas shall be with indigenous trees, shrubs, and ground cover to simulate understory, midstory, and canopy of adjoining natural areas.

k. Site development shall include reduction of storm water runoff by means of water harvesting (swales, basins, gabions, mulches, etc.), erosion control through benign grade stabilization, and careful siting of improvements to minimize negative impacts in conformance with permaculture practices and concepts.

3. To assure the most beneficial natural area design, conservation natural areas shall provide, where possible and practicable, connections to public preserves, undisturbed riparian areas, and natural areas on adjoining properties, and protection of undeveloped indigenous habitat.

4. Long thin strips of natural areas shall be avoided unless the feature is linear, such as a wash or the configuration is necessary to connect with other washes or trails. The conservation natural areas shall generally abut existing or potential natural areas on adjacent parcels. Where possible, such subdivision conservation natural areas shall be designed as part of a larger contiguous and integrated open space system of undeveloped indigenous habitat.

G. Infrastructure Standards.

1. Conservation subdivisions may use the more flexible street development standards established in the standards and policies of the department of transportation and flood control district for conservation subdivisions and shall emphasize protection of wildlife corridors and minimization of traffic killings of wildlife.

2. Notwithstanding the restriction on the length of cul de sacs contained in Section 18.69.040.A2.1 (Subdivision Standards), there is no restriction on cul de sac length in a conservation subdivision. However, no cul-de-sac may serve more than one hundred dwellings or any use that would generate one thousand or more average daily vehicle trips.

362 3. Existing ingress and egress easements adjacent to or within the subdivision
363 boundaries and which serve lots within the subdivision shall be designated as common
364 area. Existing ingress and egress easements within the subdivision that do not serve lots
365 within the subdivision but only serve parcels outside the subdivision may remain as part
366 of a subdivision lot. Existing ingress and egress easements connected to subdivision
367 boundaries may serve subdivision lots.
368

369 **H. Site planning procedure.**
370

371 1. Pre-application meeting: Prior to the submittal of a tentative subdivision plat, the
372 applicant shall prepare a tentative plat sketch proposal which shows the proposed
373 conservation natural areas, the lot pattern, streets, and trail linkages of development
374 areas and to meet with the planning official, or the planning official's designated
375 representative, to discuss how the conservation subdivision standards can be applied to
376 the subject property.
377

378 2. Tentative plat. The tentative plat shall be prepared in compliance with the following
379 design process:
380

- 381 a. Determine the maximum density yield.
- 382
- 383 b. Identify conservation natural areas. All potential conservation natural areas are to
384 be identified. Lands shall be considered for designation as conservation natural
385 areas in the following order:
386
 - 387 1) Areas which qualify as primary conservation features;
 - 388
 - 389 2) Areas which qualify as secondary conservation features;
 - 390
 - 391 3) Areas the property owner may want to preserve.
- 392
- 393 c. Identify development areas. The areas that are not identified as conservation
394 natural areas and are available for development.
- 395
- 396 d. Locate building sites. The approximate sites of individual buildings are
397 tentatively located.
398
- 399 e. Align streets. Streets shall be laid out in a way that avoids, or at least minimizes,
400 adverse impacts on conservation natural areas to the greatest extent practicable.
401 Wash crossings and streets traversing existing slopes greater than fifteen per cent
402 (15%) are discouraged.
403
- 404 f. Draw the lot lines. The lot lines should, where possible, be located
405 approximately midway between house locations and may include L-shaped lots

406 which meet county standards.

407

408 3. County evaluation of tentative conservation subdivision plat. Development services
409 shall review the plat to ensure that the design is appropriate to the site's natural,
410 historic, and cultural features and the purposes of this section. Diversity and originality
411 in lot layout are encouraged to achieve the best possible relationship between
412 development and conservation natural areas. To the greatest extent possible and
413 practicable, the layout of a tentative plat shall meet the following standards:

414

415 a. Protects and conserves riparian areas, slopes greater than fifteen percent (15%),
416 and designated peaks and ridges from clearing, grading, filling, or construction
417 except as may be approved for essential infrastructure;

418

419 b. Creates buffer areas to minimize conflicts between residential uses, public
420 preserves, and wildlife habitat;

421

422 c. Locates development on the least environmentally sensitive areas of the site with
423 the least intrusion into primary and secondary conservation features, and is least
424 disruptive to connections with public preserves and surrounding undeveloped
425 indigenous habitat;

426

427 d. Protects wildlife habitat areas of species listed as endangered, threatened, or of
428 special concern by the U. S. Fish and Wildlife Services, Arizona Game and Fish
429 Department, and the adopted Sonoran Desert Conservation Plan.

430

431 e. Minimizes development impacts on ironwoods, saguaros and their understory,
432 and large clusters of sensitive plant groups protected by the native plant preservation
433 standards (Chapter. 18.72);

434

435 f. Avoids siting dwellings on prominent hilltops or ridges by taking advantage of
436 lower topographic forms;

437

438 g. Designs around and preserve sites of historic, archeological, or cultural value and
439 their environs insofar as needed to safeguard the character and integrity of the
440 feature;

441

442 h. Improves public safety and protects the character of scenic routes by avoiding lot
443 development which directly accesses onto scenic routes that are also major routes;

444

445 i. Where trails are provided they shall be designed as a pedestrian circulation path
446 system -to ensure that pedestrians can walk safely and easily on the site, between
447 properties and activities or special features within the neighborhood open space
448 system;

449

450 j. Provides natural areas that are contiguous and whose configuration minimizes
451 fragmentation of natural areas within the development;

452
453 k. Incorporates a water harvesting plan.

454
455 l. Revegetation shall be indigenous trees, shrubs, and ground cover to simulate
456 when practicable understory, midstory, and canopy of adjoining natural areas.

457
458 **I. Lot Development.** Lots thirty-six thousand (36,000) square feet or greater with grading
459 areas greater than fourteen thousand (14,000) square feet shall, at the time the lot is
460 developed, incorporate a thirty percent natural area set aside into the lot design, if not
461 already delineated by the plat. The natural area set aside should, when possible, provide
462 connections to adjoining common or individual lot conservation natural areas, and building
463 area footprints should be minimized. To the maximum extent possible open space areas
464 adjacent to streets that are located on individual lots shall be left natural.

465
466 **J. Conservation natural areas ownership and maintenance.** Conservation natural areas
467 shall be restricted to natural open space in perpetuity. The conservation natural areas shall
468 remain undivided. Conservation natural areas located outside of individual residential lots
469 shall be owned and managed by either a homeowners' association, the county, or a
470 recognized land trust or conservancy.

471
472 1. Conservation natural areas located outside of individual lots shall be preserved by
473 one of the following methods:

474
475 a. Dedication: Conservation natural areas may be dedicated to the county, either in
476 fee simple or as a conservation easement, by a form of instrument approved by the
477 county. The county may, but is not required, to accept conservation natural areas.

478
479 b. Transfer to a private conservation organization, land trust, or conservancy.
480 Conservation natural areas may be transferred either in fee or by easement to a
481 private nonprofit organization, among whose purposes it is to conserve conservation
482 natural areas and/or natural resources provided that:

- 483
484 1) the organization is acceptable to the county;
- 485
486 2) the organization is a bona fide conservation organization with perpetual
487 existence;
- 488
489 3) the conveyance contains appropriate provisions for the transfer of the
490 conservation natural area to the county, an appropriate homeowners association,
491 or another private non-profit organization acceptable to the county, if the original
492 organization becomes unwilling or unable to continue carrying out its function;

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and

4) a maintenance agreement approved by the county is entered into by the owner of the subdivision site and the non profit conservation organization.

c. Transfer to a homeowners' association and maintenance standards. If the conservation natural areas are to be owned and maintained by the homeowner's association of the subdivision, the subdivider shall record covenants, conditions and restrictions including maintenance and preservation standards, running with the land, providing for the creation of a homeowners' association. The covenants shall contain the following provisions:

1) A clause assuring that Pima County is not responsible for maintenance or liability of the common natural areas but that Pima County may enforce the maintenance and preservation standards;

2) A clause stating the common areas designated natural area on the subdivision plat shall be restricted to natural areas in perpetuity and maintained by the homeowners association and a requirement that the county is a third party beneficiary with a third party right of enforcement to such clause, and that the clause cannot be amended or repealed without the written consent of the county.

3) The developer shall present to the development services department a plan for the transfer of control of all common natural areas to the homeowners association;

2. Conservation natural areas on individual lots shall be preserved as recorded conservation easements. The conservation easement shall include a statement that all area within the conservation easement shall be preserved as natural open space and shall not be graded or disturbed except that previously graded or disturbed areas within the conservation easement shall be restored, and revegetated in conformance with the provisions of the following subsection 3.

3. Maintenance of conservation natural areas on individual lots:

a. Conservation natural areas shall be preserved as natural open space and shall not be graded or disturbed, except for restoration and the mitigation of previously disturbed area.

b. Existing grading or disturbance within the conservation natural area shall be restored, and mitigated subject to the following:

1) The existing grading and disturbance occurred two (2) years or more before

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the effective date of the ordinance that establishes this provision, and

2) The existing grading and disturbance was not created during the current owner's ownership of the lot, parcel, or project site.

3) An application for a building or grading permit on a lot, parcel, or project site that meets the preceding conditions in subparagraphs 1) and 2) shall be accompanied by a mitigation and revegetation plan which mitigates the existing grading and disturbance in conformance with the revegetation requirements of Section 18.61.100.F.2.i.2)

4) If the existing grading and disturbance does not meet one (1) or both of the preceding conditions in subparagraphs 1) and 2), then supplemental mitigation requirements may be established by the planning official or a Hearing Officer.

SECTION 2. Chapter 18.61, Hillside Development Overlay Zone is hereby amended to add Section 18.61.052.F. to read as follows:

F. The slope density requirements in Table 18.61.052-1 shall not apply to Conservation Subdivisions (Section 18.09.100) with an average cross slope of twenty percent (20%) or less provided that such Conservation Subdivisions have a minimum average area per dwelling unit of one (1) acre.

SECTION 3. That all ordinances and parts of ordinances in conflict herewith be, and the same hereby are, repealed to the extent of such conflict.

SECTION 4. If any provision of this Ordinance, or the application thereof to any person or circumstance is invalid, the invalidity will not affect other provisions or applications of this ordinance which can be given meaning without the invalid provision.

SECTION 5. This Ordinance will become effective thirty-one days (31) after the date of its adoption by the board of supervisors.

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PASSED AND ADOPTED by the Board of Supervisors of Pima County , Arizona,
this _____ day of _____, 2001.

Chairman, Board of Supervisors

ATTEST:

Date Signed: _____

Clerk, Board of Supervisors

APPROVED AS TO FORM:

Civil Deputy County Attorney

Executive Secretary, Pima County
Planning and Zoning Commission